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APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. 09/374,598 08/13/99 **MENSEN** J 044696-5007 **EXAMINER** 009629 PM82/0830 MORGAN, LEWIS & BOCKIUS STEPHAN' P ART UNIT PAPER NUMBER 1800 M STREET NW WASHINGTON DC 20036-5869 3635 **DATE MAILED:**

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

08/30/01

## Colifice Action Summary Examiner		Application No. Applicant(s)		
Beth A Stephan 3035 - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION Ecanonic of them may be awaited under the produced of 37 CFR 1.158(a). In no evert, however, may a reply be timely filed set of the period for reply specified above its insection of 17 CFR 1.158(a). In no evert, however, may a reply be timely filed set of the communication of the period for reply specified above its meaning date of this communication of this (30) days, a reply within the statutory rubinium of this (30) days will be considered timely If the period for reply is specified above its meaning date of this communication Failure to reply within the set or extended princia for reply will, by attuits, cause the application to boson ABANDONED (30 U.S.C. § 130) Failure to reply within the set or extended princia for reply will. Set of this communication, when it temely filed, may reduce any search of period and period to reply will. Set of the communication, when it temely filed, may reduce any search of period and period to responsive to communication(s) filed on O1 June 2001. This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) J-41 is/are rejected. 7) Claim(s) is/are rejected. 7) Claim(s) is/are rejected. 7) Claim(s) is/are rejected. Applicant may not request that any objected to by the Examiner. Applicant may not request that any objected or bi abjected to by the Examiner. If approved, corrected drawings are required in reply to this Office action. 1) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 and 120 1) Acknowledgment is made		09/374,598	MENSEN, JAN HENDRIK	
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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In so event, however, may a reply be timely filed alled St. (b) MONTHS from the maining date maining of the mainin		Beth A Stephan	3635	
THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be wardleb under the provisions of 37 CFR 1.38(a). In no event, however, may a reply be timely filled after SIX (8) MONTHS from the mating date of this communication. - If the period for early is specified above, the renarration statisticity particle will early and value spite SIX (9) MONTHS from the considered timely. - If the period for early is specified above, the renarration statisticity particle will early and value spite SIX (9) MONTHS from the communication. - If the period for early is specified above, the material state than throw examples and the communication of the commun				
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14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).	application from the International Bureau (PCT Rule 17.2(a)).			
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a) ☐ The translation of the foreign language provisional application has been received. 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.				
Attachment(s)				
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6) Other:	1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informal	·	



Application/Control Number: 09/374,598

Art Unit: 3635

Receipt is acknowledged of the response filed 6/1/01. It has been determined however that because of the Reasons for Allowance in the parent application there is recapture. Specifically, claims 17 and 23 must contain at least "two parallel panels connected by a bridging member as claimed" with the specifics of the previous claimed bridging member, claim 24 must contain at least "one of the panels ... of the thicker part is partially cut away", and claim 41 must contain either of these two limitations.

The reissue oath/declaration filed with this application is defective (see 37 CFR 1.175 and MPEP § 1414) because of the following: the error stated as being corrected by the reissue application is not found in claims 17 and 23 and cannot be corrected by Reissue application. A new declaration must be filed with the additional error to be corrected to overcome this.

Claims 1-41 are rejected as being based upon a defective reissue 17-23 under 35 U.S.C. 251 as set forth above. See 37 CFR 1.175.

The nature of the defect(s) in the declaration is set forth in the discussion above in this Office action.

The amendment to claims 24 and 41 in the amendment of 6/19/00 does not comply with Rule 1.173 and must be corrected.



Application/Control Number: 09/374,598

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth A Stephan whose telephone number is (703) 308-2485. The examiner can normally be reached on Tues-Fri, 7:30 - 6:00 pm.

The fax phone numbers for the organization where this application or proceeding is assigned are (703)305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.

Beth A Stephan Primary Examiner Art Unit 3635

BAS August 27, 2001